



SUBCOMMITTEE ON ENERGY POLICY, NATURAL RESOURCES AND REGULATORY AFFAIRS

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Doug Ose (CA-03), Chairman

PRESS RELEASE

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OSE CALLS FOR ADDITIONAL PROGRESS ON REGULATORY REFORM

WASHINGTON, DC -- Congressman Doug Ose today called upon the Office of Management and Budget (OMB) and other agencies to devote more effort to reviewing existing regulations, especially those nominated by the public for review and reform. The Subcommittee on Energy Policy, Natural Resources, and Regulatory Affairs hearing was entitled "What is the Bush Administration's Record in Regulatory Reform?"

"Today's hearing revealed that there is a great deal left for the second Bush term to do in terms of needed regulatory relief, especially for small businesses. The Administration needs to systematically analyze which existing agency regulations need to be reformed," Ose said. "In addition, there needs to be more transparency in the process so that progress or lack thereof is known."

The hearing focused on the Administration's and the public's recommendations for regulatory reform, which are part of OMB's statutorily-required annual regulatory accounting statement and associated report, and the Bush Administration's response.

Congress requires that OMB submit an annual report to Congress that estimates the total annual costs, benefits and impacts of Federal rules and paperwork. Each year, OMB solicits comments on the content of its draft report and on any regulatory actions or guidance documents the public believes should be nominated for reform. The Subcommittee heard testimony from two of the four agencies with the most rules nominated – the Environmental Protection Agency (EPA) and the Department of Labor (DOL). Both EPA and DOL submitted detailed charts indicating the status of each nominated rule.

Howard Radzely, Solicitor of Labor (DOL), testified that DOL's fall 2004 Regulatory Agenda, will include approximately 80 items upon which they expect to make significant progress or complete within the next 12 months. He described DOL's regulatory agenda as "a meaningful document that employers, employees, and the public can easily obtain, understand, and rely upon. Reflecting only those items that we expect to have under

active consideration during the coming year, our Regulatory Agenda reduces the burden on our economy of regulatory uncertainty while better protecting the health, safety, and other working conditions of the American workforce.”

Radzely testified that DOL has pursued alternatives to rulemaking whenever feasible and has attempted to minimize the costs of any regulations while ensuring that strong worker protections are in place. “The Department makes use of all available tools to strengthen worker protections. For instance, to use an example raised in OMB’s reports, rather than issue a new regulation, the Department’s Occupational Safety and Health Administration (OSHA) addressed the hazards of metalworking fluids by developing a best-practices guide and making it available on its website. This effectively protected workers without delaying other regulatory priorities that the Department listed in its Regulatory Agenda.

Radzely also testified discussed DOL’s plan to address the public recommendations regarding the Family and Medical Leave Act (FMLA). DOL has held a series of stakeholder meetings to receive informal feedback on how the regulations are working, and has also heard from more than 20 groups on their views about the rules. “The Department intends to consider carefully the court decisions, the public’s views, and the agency’s experience administering the regulations before deciding what actions, if any, is appropriate to take.”

In his testimony, Stephen Johnson, Deputy Administrator of EPA, outlined EPA’s significant progress and strong overall track record on responding to public nominations for regulatory reforms. “This process has proven to be very helpful to focus our attention on issues in our regulations or guidance that may warrant changes or may need to be clarified for the regulated community. Although our review of the nominations has not always led us to change our decisions, it has challenged us to scrutinize specific regulations and policy directives, and to either confirm our approach or recognize the need for revision.”

Lastly, both OMB and EPA addressed the Minority’s concerns about EPA’s mercury rulemaking.